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7 *Attorneys for Defendants*  
*Bank of America, N.A., successor by merger to BAC*  
8 *Home Loans Servicing, LP, Merscorp, Inc., and*  
*Mortgage Electronic Registration Systems, Inc.*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11  
12 LAI-L-CHIU, an individual,

13 Plaintiff,

14 vs.

15 BAC HOME LOANS SERVICING, LP;  
16 MERSCORP, INC., a Virginia Corporation,  
MORTGAGE ELECTRONIC REGISTRATION  
17 SYSTEMS, INC., a subsidiary of MERSCORP,  
INC., a Delaware corporation; and DOES  
18 individuals 1 to 100, inclusive, and ROES  
Corporations 1 to 30, inclusive; and all other  
19 persons and entities unknown claiming any right,  
title, estate, lien or interest in the real property  
20 described in the Complaint adverse to Plaintiff's  
ownership, or any cloud upon Plaintiff's title  
21 thereto,

Defendants.

Case No.: 2:11-cv-01400

**AMENDED ORDER CANCELING LIS  
PENDENS**

22 Defendants request the lis pendens plaintiff Lai Chiu recorded against the subject property be  
23 canceled.

24 The Court finds Chiu recorded a Notice of Lis Pendens Affecting Real Property("Lis  
25 Pendens") on or about November 30, 2011, as Instrument Number 201111300000801 in real  
26 property records maintained by the Clark County Recorder. A copy of the Lis Pendens is attached as  
27 **Exhibit A** and fully incorporated by reference.

28 This Court issued an Order Granting defendants' motion to dismiss [Dkt. 8] ("Motion") on

May 25, 2012.

Upon consideration of defendants' request to cancel the above-referenced Lis Pendens, the Court:

1. Orders, adjudges, and decrees that the above-referenced Lis Pendens is canceled, released and expunged.
2. Further orders, adjudges and decrees that this Order canceling the above-referenced Lis Pendens has the same effect as an expungement of the original Lis Pendens.
3. Further orders, adjudges and decrees defendants record a properly certified copy of this Cancellation Order in the real property records of Clark County, Nevada within a reasonable amount of time from the date of this Order's issue.

APPROVED:



UNITED STATES DISTRICT JUDGE

Dated: June 20, 2012

Submitted by:

DATED this 20<sup>th</sup> day of June, 2012.

**AKERMAN SENTERFITT LLP**

/s/ Christine Parvan

ARIEL E. STERN, ESQ.

Nevada Bar No. 8276

CHRISTINE M. PARVAN, ESQ.

Nevada Bar No. 10711

1160 Town Center Drive, Suite 330

Las Vegas, Nevada 89144

*Attorneys for Defendants*

*Bank of America, N.A., successor by merger to  
BAC Home Loans Servicing, LP, Merscorp,  
Inc., and Mortgage Electronic Registration  
Systems, Inc.*

AKERMAN SENTERFITT LLP

1160 Town Center Square, Suite 330  
LAS VEGAS, NEVADA 89144  
TEL.: (702) 634-5000 – FAX: (702) 380-8572

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on the 20th day of June, 2012 and pursuant to FRCP 5, I served via CM/ECF and/or deposited for mailing in the U.S. Mail a true and correct copy of the foregoing **PROPOSED ORDER CANCELING LIS PENDENS**, postage prepaid and addressed to:

LAI L. CHIU  
1644 Saintsbury Drive  
Las Vegas, Nevada 89144

*Plaintiff in Proper Person*

/s/ Adam Crawford  
An employee of AKERMAN SENTERFITT LLP

AKERMAN SENTERFITT LLP

1160 Town Center Square, Suite 330  
LAS VEGAS, NEVADA 89144  
TEL.: (702) 634-5000 – FAX: (702) 380-8572

## **EXHIBIT A**

## **EXHIBIT A**

Inst #: 201111300000801

Fees: \$26.00

N/C Fee: \$0.00

11/30/2011 09:26:04 AM

Receipt #: 992100

Requestor:

LAI CHIU

Recorded By: GILKS Pgs: 10

DEBBIE CONWAY

CLARK COUNTY RECORDER

(10)

## RECORDING COVER PAGE

Must be typed or printed clearly in black ink only.

APN# 137-24-419-014  
11 digit Assessor's Parcel Number may be obtained at:  
<http://redrock.co.clark.nv.us/assrealprop/owner.aspx>

## TITLE OF DOCUMENT (DO NOT Abbreviate)

NOTICE of Lis-PENDENS  
AFFECTING-REAL PROPERTY

Title of the Document on cover page must be EXACTLY as it appears on the first page of the document to be recorded.

Recording requested by:

PHUOC TRAN.

Return to:

Name LAI - L - CHIU

Address 1644 - SAINTSBURY - DR

City/State/Zip Las-Vegas - NV - 89144.

This page provides additional information required by NRS 111.312 Sections 1-2.

An additional recording fee of \$1.00 will apply.

To print this document properly—do not use page scaling.

P:\Recorder\FORMS 12\_2010

**FILED**

AUG 4 9 14 AM '11

*John L. ...*  
CLERK COURT

1. RECORDING REQUESTED BY : Plaintiff: Lai-L-Chiu
2. AND WHEN RECORDED MAIL TO:
3. LISP
4. LAI-L-CHIU
5. 1644 SAINTSBURY DR
6. LAS VEGAS NV 89144
7. 702-326-7828

8. SPACE ABOVE THIS LINE FOR RECORDER'S USE

9. DISTRICT COURT

10. CLARK COUNTY, NEVADA

11. LAI-L-CHIU, an individual )

12. Plaintiff(s) )

13. Vs. )

14. BAC HOME LOANS SERVICING, LP; )

15. MERSCORP, INC., a Virginia Corporation, )

16. MORTGAGE ELECTRONIC REGISTRATION )

17. SYSTEMS, INC. a subsidiary of MERSCORP, )

18. Inc., a Delaware Corporation; AND DOES )

CASE NO.: A-11-646100-C

DEPARTMENT: Xv1

NOTICE OF LIS PENDENS

AFFECTING REAL

PROPERTY

)NOTICE:THIS LIS PENDENS  
)IS EFFECTIVE UPON  
)SERVICE OF THE PARTY  
)WHEN SERVED, AND SHALL  
)ISSUED AND AGAINST THE  
)OTHER PARTY WHEN  
)SERVED, AND SHALL  
)REMAIN IN EFFECT FROM  
)THE TIME OF ITS ISSUANCE  
)UNTIL TCONTEMPT OR  
)UNTIL DISSOLVED OR  
)MODIFIED BY THE COURT,  
)DISOBEDIENCE OF THIS LIS  
)PENDENS IS PUNISHABLE BY  
)CONTEMPT

19. individuals 1 to 100, Inclusive; and ROES
20. Corporations 1 to 30, Inclusive; and all other
- 21.
22. persons and entities unknown claiming any

23. right, title, estate, lien or interest in the real
24. property described in the Complaint adverse to
25. Plaintiff's ownership, or any cloud upon
26. Plaintiff's title thereto,

27. Defendants,

28.

1 And of which the legal description is as follows: APN# 163-28-712-023

2 Southern Vista Est Unit #2 Lot 78, Plat Book 58, Page 56, Block 4 and by

3 Certificate of Record on 8/02/1999 in Book 19990802 as Inst. No. 00613 all in the

4 Office of the County Recorder for Clark County, Nevada.

5 And which is identified in the complaint of this action.

6 The property affected by the action is located in the County of Clark, Nevada. The natures of the  
7 claims are:

- 8 1. Unfair Lending Practices-NRS 598.100(D)
- 9 2. Deceptive Trade Practices
- 10 3. Conspiracy To Commit Fraud and Conversion
- 11 4. Conspiracy To Conversion Related to MERS System
- 12 5. Inspection And Accounting
- 13 6. Unjust Enrichment
- 14 7. Breach Of Good Faith And Fair Dealing
- 15 8. Injunctive Relief
- 16 9. Declaratory Relief
- 17 10. Rescission
- 18 11. Fair Housing Act 42 U.S.C. s3601 *et seq.*

19 **NOTICE IS FURTHER GIVEN that YOU ARE HEREBY PROHIBITED AND**

20 **RESTRAINED FROM: Transferring, encumbering, selling, or otherwise disposing of**  
21 **any portion of said real property without the written permission of the Court.**

22 DATED this 2 day of Aug, 2011.

23 Plaintiff Signature(s):

24   
25 LAI-L-CHIU

26 1644 Saintsbury Dr

27 Las Vegas NV 89144

28 (702) 326-7828

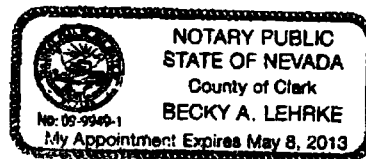
**ACKNOWLEDGMENT**

Subscribed and sworn to before me this 2 day of Aug, 2011.

Signed: Becky A. Lehrke

Seal:

NOTARY PUBLIC in and for the County of Clark, State of Nevada



I hereby attest and certify on 11/15/11  
that the foregoing document is a full, true  
and correct copy of the original on file in my  
legal custody.

CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEVADA

By J. J. [Signature] Deputy Clerk



NOTICE OF PENDENCY OF ACTION



AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Lai - L - CHiu  
Plaintiff

BANK-OF-AMERICA  
v.  
Defendant

2:11-cv-01400-ECR -CWH

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

TO: BANK-OF-AMERICA  
CA-6-919-01-41  
P. O. Box - 5170  
SIMI-VALLEY-CA-93062.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Lai - L - CHiu  
1644 - SAINTSBURY-DR.  
LAS-VJAS-NV-89144.

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

9/13/11



AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Zai - L - Chin

Plaintiff

v.

Bank of America

Defendant

2:11-cv-01400-ECR -CWH

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

TO: MORTGAGE - ELECTRONIC  
REGISTRATION - SYSTEMS  
CA-6-919-01-41  
P. O. BOX 5170  
SIMI-VALLEY CA-93062.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Zai - L - Chin  
1644 - SAINTSBURY - DR  
Las - Vegas - NV - 89144

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date:

9/13/11



AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* MORTGAGE - ELECTRONIC REGISTRATION - SYSTEMS.  
 was received by me on *(date)* \_\_\_\_\_

☐ I personally served the summons on the individual at *(place)* Lai - L - CHiu  
 on *(date)* \_\_\_\_\_ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_ ; or

☐ I returned the summons unexecuted because \_\_\_\_\_ ; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_



Server's signature

Lai - L - CHiu

Printed name and title

1644 - SAINTSBURY - DR  
Las - Vegas - NV - 89144

Server's address

Additional information regarding attempted service, etc:

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. \_\_\_\_\_


**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*This summons for *(name of individual and title, if any)* BRAD - OT - AMERICAN  
was received by me on *(date)* \_\_\_\_\_.☐ I personally served the summons on the individual at *(place)* 2A1-2-CHiuon *(date)* \_\_\_\_\_; or☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_

, a person of suitable age and discretion who resides there,

on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or☐ I served the summons on *(name of individual)* \_\_\_\_\_, who isdesignated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_on *(date)* \_\_\_\_\_; or☐ I returned the summons unexecuted because \_\_\_\_\_; or☐ Other *(specify)*: \_\_\_\_\_My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

  
\_\_\_\_\_  
Server's signature2A1-2-CHiu  
Printed name and title2A1-2-CHiu  
1644 - SAINTSBURY - DR  
2AS - VJAS - NV - 89144  
Server's address

Additional information regarding attempted service, etc:

✓ FILED RECEIVED  
-- ENTERED -- SERVED ON  
CLERK, CLERK OF RECORD

2011 SEP 13 A 8:16

U.S. DISTRICT COURT  
DISTRICT OF NEVADA

BY \_\_\_\_\_ DEPUTY

LAI L CHIU  
C/O PHUOC TRAN  
1644 SAINTSBURY DR  
LAS VEGAS NV 89144  
TEL#702-326-7828  
PRO SE PLAINTIFFS

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

LAI L CHIU, an individual

Plaintiffs,

vs.

BAC HOME LOAN SERVICING LP, et al

Defendants

1400  
Case No.11-cv-001-400

**CERTIFICATE OF INTERESTED  
PARTIES**

**CERTIFICATE OF INTERESTED PARTIES**

COMES NOW LAI L CHIU, and hereby state that there are no known interested parties,  
other than those participating in this case.

DATED this 13 day of Sep 2011.

  
LAI L CHIU, PRO SE

**Attorney General Cortez Masto and Assembly Majority Leader Conklin**

**ANNOUNCE NEW**

**Foreclosure fraud reform' bill to Take Effect OCTOBER 1**

**Las Vegas, NV – Nevada Attorney General Catherine Cortez Masto and Nevada Assembly Majority Leader Marcus Conklin announced that the new 'Foreclosure Fraud Reform' law will take effect on October 1, 2011.**

**"This new law helps protect Nevadans from improper foreclosures and protects the integrity of the system for homeowners," said Cortez Masto. "I was pleased to work with Majority Leader Conklin on this important bill that creates security, legitimacy, and transparency in the foreclosure process. Assembly Bill 284 will protect the Silver State's housing market by ensuring homeowners and prospective purchasers can get a clean chain of title and are treated more fairly."**

**"There have been widespread instances of foreclosures based on false, improper or incomplete documents throughout the nation over the past few years," Conklin said. "This new law is part of our ongoing commitment to prevent foreclosure fraud in our state and to ensure that the Attorney General has the tools necessary to prosecute those who defraud homeowners."**

**The bill gives Nevada residents access to information on the companies that hold their mortgages by requiring the documents used in the foreclosure process to be recorded in the county where the property is located. Additionally, the legislation requires a party seeking to foreclose in Nevada to record a notarized Affidavit of Authority to Foreclose that includes information showing that the party seeking to foreclose on the property has the legal right to exercise the power of sale. AB 284 also strengthens the Attorney General's enforcement authority over foreclosure fraud, and gives property owners a new right of action to enforce their own legal rights in foreclosures.**